IN THE HIGH COURT OF JUDICATURE AT PATNA
CWJC No.11175 of 2007

1. Pushakar Singh, son of Late Newa Lal Singh
2. Kailashpati Singh, son of Late Rama Ashish Singh
3. Narendra Kumar Singh
4. Upendra Kumar Singh, both sons of Late Ramyash Singh, all resident of Village Dronpur, P.S. Ahiyapur, District- Muzaffarpur

--------- Petitioners.

Versus

1. The State of Bihar.
2. The Director, Consolidation, Bihar, Patna.
3. The Joint Director, Consolidation, Tirhut Division, Muzaffarpur.
4. The Deputy Director, Consolidation, Muzaffarpur.
5. The Consolidation Officer, Bochaha, District- Muzxaffarpur ------ Respondents.

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2. 18.2.2009 Heard Mr. V.K. Singh for the petitioners, and Mr. Chandra Shekhar Singh, learned Assistant Counsel to Government Advocate No.7. This writ petition is directed against the order dated 17.2.2006(Annexure-2), passed by the learned Joint Director, Consolidation, Muzaffarpur, in Case No. 59 of 1999 (Pushakar Singh Vrs. State of Bihar), whereby the revision application preferred by the petitioners under the provisions of section 35 of the Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 19576(hereinafter referred to as the Act) has been rejected.

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We have perused the materials on record and considered the submissions of learned counsel for the parties. It is with respect to new khata nos. 8391 and 8394, covering area of 10 Bigha and 10 Katha, carved out from the old Khata no. 2479 and 2452, situate at Village- Jhapaha, police station Ahiyapur, Anchal Bochya. Aggrieved by the earlier order of the learned first authority, the present petitioners preferred appeal which was rejected by the order dated 27.7.1999

(Annexure-1), passed by the learned Deputy Director, Consolidation, Muzaffarpur in appeal Case No. 93 of 1990 (Pushakar Singh & Ors. Vrs. State fof Bihar). The petitioner challenges the same by preferring revision under section 35 of the Act which has been rejected by the impugned order. It has been held therein that the lands in question have vested in the State of Bihar under the provisions of the Bihar Land Reforms Act. The impugned order, therefore, can not be faulted.

The writ petition is dismissed.

Vinay/ **(S. K. Katriar ,J.)**

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